

what will be the event of such an assembly. And if the intention of those meeting be to accomplish a common object by violence and intimidation, and the meeting, from its general appearance, and accompanying circumstances is calculated to excite terror and consternation, it is clearly criminal and unlawful.

A *Rout* is a disturbance of the peace by three or more persons assembling together with an intention to do an unlawful act, and actually making *advances* towards the execution thereof.

A *Riot* is a tumultuous disturbance of the Peace by *three or more* persons assembling together, of their own authority, with an intent mutually to assist each other against any one who will oppose them in the doing of some act of violence, or in the execution of any enterprize of a private nature, and afterwards actually committing violence towards executing the same, as for the purpose of beating a man, or driving away some individual, or particular body or class of men, from his or their lawful employment, or demolishing or pulling down a building, &c. It has been holden that the enterprize must be accompanied by some offer of violence, either to the person of a man, or his possessions; as, by beating him, or forcing him to quit the possession of his lands or goods, or the like. And in every riot there must be some such circumstance either of actual force or violence, or at least, an apparent tendency thereto, as is naturally apt to strike terror into the people; as, the show of arms, threatening speeches, turbulent gestures, &c. Women are amenable at law as rioters, and if a person seeing others actually engaged in a riot, join himself unto them and assist them, he is as much a rioter as if he had at first assembled with them for the same purpose; and any person encouraging, promoting, or taking part in riots, whether by sign, word or gesture, is himself a rioter, (for in this case all are principals) and is answerable for the acts of every one of his associates in furtherance of the common purpose.

If a number of persons meet together at a Bee, or a Wake, or on any other lawful and innocent occasion; and on a sudden quarrel they break the peace and fight, it is but an affray, of which none are guilty but those who actually engage in it; but if they form themselves into parties with a pledge of mutual assistance, and then make a tumultuous affray, it will amount to a riot, because of their confederating together to break the peace.

Unlawful assemblies—routs—and riots are misdemeanours in law, subjecting the offenders to fine and imprisonment.

Now private persons may lawfully endeavour to preserve the